

REVISED
Committee Agenda

Committee: House Appropriations
Room: LCR1
Date: Monday, February 22, 2010
Time: 8:00 AM

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

[HB 1255](#) **lower the state sales and use tax on certain food items and to increase the rate of taxation for the sales and use tax on certain goods and services.**

Representatives Feinstein, Blake, Dennert, Elliott, Feickert, Kirschman, Lange, Nygaard, Schrempp, Solberg, Sorenson, Thompson, and Vanderlinde and Senators Merchant, Hanson (Gary), Jerstad, and Kloucek

[HB 1240](#) **create the South Dakota need-based grant fund, to provide for the transfer of certain unclaimed lottery prize money to the need-based grant fund, to provide for the awarding of certain need-based grants, and to repeal provisions relating to tuition equalization grants.**

Representatives Hunhoff (Bernie) and Faehn and Senators Knudson and Heidepriem

[SB 22](#) **establish a fund for the collection of donations to the birth to three program.**
The Committee on Education at the request of the Department of Education

[SB 27](#)* **authorize the South Dakota Building Authority and the Department of Human Services to provide for the design, construction, and equipping of a dietary services building addition at the Human Services Center.**

The Committee on Appropriations at the request of the Department of Human Services

[SB 46](#) **make an appropriation for costs related to suppression of wildfires in the state and to declare an emergency.**

The Committee on Appropriations at the request of the Bureau of Finance and Management

[SB 48](#) **make an appropriation for the payment of extraordinary litigation expenses and to declare an emergency.**

The Committee on Appropriations at the request of the Bureau of Finance and Management

[SB 26](#)* **make an additional appropriation to the Board of Regents to construct an addition to the Northern State University Joseph H. Barnett Center.**

The Committee on Appropriations at the request of the Board of Regents

BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

LARRY TIDEMANN, Chair

Committee Agenda

Committee: House Commerce
Room: 464
Date: Monday, February 22, 2010
Time: 9:30 AM

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

- [HB 1156](#) **provide health insurance coverage for contraceptive drugs and devices.**
Representatives Cutler, Blake, Engels, Fargen, Gibson, Romkema, Solberg, Solum, Thompson, and Vanderlinde and Senators Turbak Berry, Adelstein, Heidepriem, Jerstad, Knudson, Merchant, Nelson, and Nesselhuf
- [HB 1226](#) **set certain age requirements for persons who sell malt beverages and South Dakota made wine at certain alcoholic beverage off-sale licensees.**
Representatives Nygaard, Fargen, Kirkeby, and Turbiville and Senator Miles
- [HB 1155](#) **require the registration of certain anemometer towers used for wind energy testing purposes and to declare an emergency.**
Representatives Frerichs, Brunner, Fargen, Kirkeby, Kirschman, Peters, and Van Gerpen and Senators Novstrup (Al), Fryslie, Gant, Hanson (Gary), Kloucek, Maher, and Peterson
- [HB 1138](#) **create certified technology parks and to provide certain financing mechanisms and bonding authority to enhance knowledge and tech-based economic development.**
Representatives Peters, Brunner, Conzet, Cronin, Cutler, Deadrick, Dennert, Fargen, Hunt, Kirkeby, Moser, Pitts, Putnam, Rausch, Romkema, Rounds, Schlekeway, Street, Tidemann, and Wink and Senators Gray, Ahlers, Bartling, Brown, Hansen (Tom), Haverly, Hunhoff (Jean), Novstrup (Al), Peterson, and Rhoden
- [HB 1267](#) **create a new malt beverage retailer licenses that has certain membership and age requirements.**
Representatives Rounds, Brunner, Fargen, Gosch, Greenfield, Hoffman, Jensen, Kirkeby, Kopp, Nygaard, Rausch, and Verchio and Senators Maher, Nelson, and Turbak Berry

TIM ROUNDS, Chair

85th Legislative Session – 2010

Committee: House Education

Monday, February 22, 2010

P - Present
E - Excused
A - Absent

Roll Call

P Bolin
P Brunner
P Elliott
P Fargen
E Hamiel
P Hunt
P Killer
P Olson (Ryan)
P Schlekeway
P Sly
P Sorenson
P Thompson
P Vanneman
P Van Gerpen, Vice-Chair
P McLaughlin, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Ed McLaughlin, Chairman.

MOTION: TO CORRECT THE MNUTES OF FEBRUARY 19, 2010 TO READ: THE CHAIR DEFERRED HB 1181 UNTIL MONDAY, FEBRUARY 22, 2010

Moved by: Vanneman
Second by: Brunner
Action: Prevailed by voice vote.

MOTION: TO APPROVE THE MINUTES OF FEBRUARY 19, 2010 AS AMENDED

Moved by: Vanneman

Second by: Brunner
Action: Prevailed by voice vote.

SB 145: revise certain qualifications for the South Dakota opportunity scholarship program.

Presented by: Senator Pam Merchant
Proponents: Paul Turman, Board of Regents

MOTION: AMEND SB 145

145cb

On page 2, line 12, of the Senate Education Committee engrossed bill, delete "thirty-two" and insert "thirty".

On page 2, line 13, delete "sixty-four" and insert "sixty".

On page 2, line 14, delete "ninety-six" and insert "ninety".

Moved by: Fargen
Second by: Thompson
Action: Prevailed by voice vote.

MOTION: DO PASS SB 145 AS AMENDED

Moved by: Fargen
Second by: Schlekeway
Action: Prevailed by roll call vote. (14-0-1-0)

Voting Yes: Bolin, Brunner, Elliott, Fargen, Hunt, Killer, Olson (Ryan), Schlekeway, Sly, Sorenson, Thompson, Vanneman, Van Gerpen, McLaughlin

Excused: Hamiel

HB 1168: require children to attend school until age sixteen rather than age eighteen.

Presented by: Representative Kristi Noem
Opponents: Wade Pogany, Department of Education
Dianna Miller, Large School Group
LeRoy Fugitt, Pierre, Riggs HS

Sandy Arseneault, SD Education Assoc.
Laurie Feiler, Department of Corrections
Greg Boris, South Dakota Voices for Children
Jim Hutmacher, Mid Size Schools
Jim Hutmacher, SD Coalition of Schools
Mitch Richter, Self, Sioux Falls
Dick Tieszen, Sioux Falls School District
Bill Engberg, Associated School Boards of SD
John Pedersen, School Administrator of South Dakota

MOTION: DEFER HB 1168 TO THE 41ST LEGISLATIVE DAY

Moved by: Thompson
Second by: Fargen
Action: Prevailed by roll call vote. (9-5-1-0)

Voting Yes: Elliott, Fargen, Hunt, Schlekeway, Sly, Sorenson, Thompson, Van Gerpen, McLaughlin

Voting No: Bolin, Brunner, Killer, Olson (Ryan), Vanneman

Excused: Hamiel

HB 1181: eliminate the consolidation incentives for any school districts that consolidate after July 1, 2010.

Presented by: Representative Ed McLaughlin

MOTION: DO PASS HB 1181

Moved by: Brunner
Second by: Bolin
Action: Prevailed by roll call vote. (8-6-1-0)

Voting Yes: Bolin, Brunner, Hunt, Olson (Ryan), Schlekeway, Sly, Van Gerpen, McLaughlin

Voting No: Elliott, Fargen, Killer, Sorenson, Thompson, Vanneman

Excused: Hamiel

SB 63: provide for the establishment of a pilot charter school in South Dakota if the Department of Education receives a federal grant to fund it.

Presented by: Tom Oster, Secretary Department of Education

Proponents: Keith Moore, USD

Stacy Phelps, Self, Rapid City

THE CHAIR DEFERRED SB 63 UNTIL WEDNESDAY, FEBRUARY 24, 2010

MOTION: ADJOURN

Moved by: Brunner

Second by: Killer

Action: Prevailed by voice vote.

Jeanette Black
Committee Secretary

Ed McLaughlin, Chair

Committee Agenda

Committee: House Government Operations and Audit
Room: 423
Date: Monday, February 22, 2010
Time: 12:00 PM

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

[HB 1046](#)* **revise certain provisions for the procurement of goods and services for governmental agencies.**

The Committee on State Affairs at the request of the Bureau of Administration

DEB PETERS, Chair

Committee Agenda

Committee: House Judiciary
Room: 413
Date: Monday, February 22, 2010
Time: 10:00 AM

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

[HB 1228](#) **establish an ancillary standard in determining the best interests of a child.**
Representatives Engels, Blake, Gibson, Hamiel, Kirkeby, Krebs, Lust, Moser, Noem, Schlekeway, Steele, and Turbiville and Senators Bradford, Abdallah, Bartling, Peterson, Schmidt, Tieszen, Turbak Berry, and Vehle

[HB 1272](#) **revise certain provisions regarding paternity and termination of parental rights.**
Representatives Hunt, Bolin, Brunner, Fargen, Feickert, Frerichs, Greenfield, Hoffman, Jensen, Kirkeby, Kirschman, Olson (Betty), Russell, Schlekeway, Solum, Steele, and Verchio and Senators Howie, Abdallah, Bartling, Fryslie, Kloucek, Maher, and Peterson

[SB 54*](#) **revise certain procedures for the commencement of civil actions by inmates.**
The Committee on Judiciary at the request of the Department of Corrections

[SB 55](#) **revise certain provisions regarding parole eligibility.**
The Committee on Judiciary at the request of the Department of Corrections

BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

[HB 1256](#) **revise certain provisions regarding the enforcement of the requirement to wear a seat belt in a motor vehicle.**
Representatives Cutler, Engels, Hunhoff (Bernie), and Tidemann and Senators Dempster, Heidepriem, Jerstad, and Vehle

JONI M. CUTLER, Chair

Committee Agenda

Committee: House State Affairs
Room: 414
Date: Monday, February 22, 2010
Time: 7:45 AM

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

[HB 1277](#) **provide for a process of obtaining certain information from online content providers in slander and libel actions.**

Representatives Hamiel, Bolin, Brunner, Carson, Cutler, Deadrick, Fargen, Gibson, Gosch, Greenfield, Hoffman, Hunt, Iron Cloud III, Jensen, Juhnke, Kirkeby, Kopp, Krebs, Lederman, Olson (Betty), Schlekeway, Sly, Turbiville, Vanneman, and Verchio and Senators Turbak Berry, Brown, Dempster, and Vehle

[HB 1278](#) **provide for a process of obtaining certain information from online content providers in slander and libel actions.**

Representatives Hamiel, Bolin, Brunner, Carson, Cutler, Deadrick, Fargen, Gibson, Gosch, Greenfield, Hoffman, Hunt, Iron Cloud III, Jensen, Juhnke, Kirkeby, Kopp, Krebs, Lederman, McLaughlin, Moser, Olson (Betty), Schlekeway, Sly, Sorenson, Turbiville, Vanneman, and Verchio and Senators Turbak Berry, Brown, Dempster, and Vehle

BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

BOB FAEHN, Chair